

(4) *manufactured and certified to comply with federal safety requirements for a motorcycle.*

(b) *For purposes of registering a vehicle under this chapter, an autocycle is considered to be a motorcycle.*

SECTION 3. Section 521.084, Transportation Code, is amended to read as follows:

Sec. 521.084. CLASS M LICENSE. A Class M driver's license authorizes the holder of the license to operate a motorcycle or moped *as defined by Section 541.201.*

SECTION 4. Section 521.085(b), Transportation Code, is amended to read as follows:

(b) Subsection (a) does not prohibit a license holder from operating a lesser type of vehicle that is a motorcycle described by Section 521.001(a)(6-a) *or an autocycle as defined by Section 501.008.*

SECTION 5. Section 545.416, Transportation Code, is amended by adding Subsection (f) to read as follows:

(f) *For purposes of Subsections (c) and (d), an autocycle as defined by Section 501.008 is considered to be a motorcycle.*

SECTION 6. Section 547.617, Transportation Code, is amended to read as follows:

Sec. 547.617. MOTORCYCLE FOOTRESTS AND HANDHOLDS REQUIRED. (a) A motorcycle that is designed to carry more than one person must be equipped with footrests and handholds for use by the passenger.

(b) *This section does not apply to an autocycle as defined by Section 501.008 or a motorcycle as defined by Section 521.001(a)(6-a).*

SECTION 7. Chapter 661, Transportation Code, is amended by adding Section 661.0015 to read as follows:

Sec. 661.0015. PROTECTIVE HEADGEAR FOR AUTOCYCLE. (a) *In this section, "autocycle" means a motor vehicle, other than a tractor, that is:*

(1) *designed to have when propelled not more than three wheels on the ground;*

(2) *equipped with a steering wheel;*

(3) *equipped with seating that does not require the operator to straddle or sit astride the seat; and*

(4) *manufactured and certified to comply with federal safety requirements for a motorcycle.*

(b) *For purposes of this chapter, an autocycle is considered to be a motorcycle.*

SECTION 8. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

Passed the Senate on April 9, 2015: Yeas 31, Nays 0; passed the House on May 8, 2015: Yeas 142, Nays 0, two present not voting.

Approved May 22, 2015.

Effective May 22, 2015.

**AEROSPACE AND AVIATION OFFICE OF THE TEXAS
ECONOMIC DEVELOPMENT AND TOURISM OFFICE AND TO
THE AEROSPACE AND AVIATION ADVISORY COMMITTEE**

CHAPTER 68

S.B. No. 458

AN ACT

relating to the aerospace and aviation office of the Texas Economic Development and Tourism Office and to the aerospace and aviation advisory committee.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 481.0066, Government Code, is amended by amending Subsections (d) and (e) and adding Subsections (d-1), (d-2), (e-1), and (e-2) to read as follows:

(d) The aerospace and aviation office shall:

(1) analyze space-related and aviation-related research currently conducted in this state and may conduct activities designed to further that research;

(2) analyze the state's economic position in the aerospace and aviation industries;

(3) develop short-term and long-term business strategies as part of an industry-specific strategic plan to promote the retention, development, and expansion of aerospace and aviation industry facilities in the state that is consistent with and complementary of the office strategic plan;

(4) make specific recommendations to the legislature and the governor regarding the promotion of those industries;

(5) *as part of and to further the purposes of the industry-specific strategic plan described by Subdivision (3), develop short-term and long-term policy initiatives or recommend reforms the state may undertake or implement to:*

(A) increase investment in aerospace and aviation activities;

(B) support the retention, development, and expansion of spaceports in this state;

(C) identify and encourage educational, economic, and defense-related opportunities for aerospace and aviation activities;

(D) determine the appropriate level of funding for the spaceport trust fund created under Section 481.0069 and support ongoing projects that have been assisted by the fund, including recommending to the legislature an appropriate funding level for the fund;

(E) partner with the Texas Higher Education Coordinating Board to foster technological advancement and economic development for spaceport activities by strengthening higher education programs and supporting aerospace activities; and

(F) partner with the Texas Workforce Commission to support initiatives that address the high technology skills and staff resources needed to better promote the state's efforts in becoming the leading space exploration state in the nation;

(6) act as a liaison with other state and federal entities with related economic, educational, and defense responsibilities to support the marketing of the state's aerospace and aviation capabilities;

(7) ~~[(6)]~~ provide technical support and expertise to the state and to local spaceport authorities regarding aerospace and aviation business matters; and

(8) ~~[(7)]~~ be responsible for the promotion and development of spaceports in this state.

(d-1) The aerospace and aviation office shall make specific short-term and long-term statutory, administrative, and budget-related recommendations to the legislature and the governor regarding the policy initiatives and reforms described by Subsection (d)(5) that may be implemented by the state. The short-term recommendations must include a plan for state action for implementation beginning not later than September 1, 2017. The initiatives and reforms in the short-term plan must be fully implemented by September 1, 2020. The long-term recommendations must include a plan for state action for implementation beginning not later than September 1, 2020. The initiatives and reforms in the long-term plan must be fully implemented by September 1, 2025. The aerospace and aviation office shall submit these recommendations to the legislature and governor with the biennial report required by Subsection (d-2) not later than December 1, 2016. This subsection expires September 1, 2017.

(d-2) Not later than December 1 of each even-numbered year, the aerospace and avia-

tion office shall submit to the legislature and governor, in printed or electronic form, a report detailing the actions taken by the aerospace and aviation office in carrying out the policy initiatives and reforms under Subsection (d)(5) to further the purposes of the industry-specific strategic plan as specified in the recommendations required by Subsection (d-1), including:

- (1) the status of all projects and activities;
 - (2) the funding of expenditures;
 - (3) a summary of work performed as part of the aerospace and aviation office's partnership with the Texas Higher Education Coordinating Board, including a summary prepared by the board of the research conducted by public senior colleges or universities, as defined by Section 61.003, Education Code;
 - (4) a summary of work performed as part of the aerospace and aviation office's partnership with the Texas Workforce Commission; and
 - (5) an explanation of the ways in which the aerospace and aviation office has promoted the state's economic development goals through increased space exploration activities.
- (e) The governor shall appoint an aerospace and aviation advisory committee consisting of:

- (1) seven qualified members to assist in the state's economic development efforts to recruit and retain aerospace and aviation jobs and investment; and
- (2) one member for each active spaceport development corporation in the state who represents the interests of each respective spaceport development corporation.

(e-1) The aerospace and aviation advisory committee shall:

- (1) advise the governor on the recruitment and retention of aerospace and aviation jobs and investment;
- (2) assist the office and the aerospace and aviation office in meeting the state's economic development efforts to recruit and retain aerospace and aviation jobs and investment;
- (3) advise the office, the aerospace and aviation office, and the governor on an appropriate funding level for the spaceport trust fund;
- (4) advise the office, the aerospace and aviation office, and the governor on recruitment, retention, and expansion of aerospace and aviation industry activities; and
- (5) collect and disseminate information on federal, state, local, and private community economic development programs that assist or provide loans, grants, or other funding to aerospace and aviation industry activities.

(e-2) Members of the aerospace and aviation advisory committee:

- (1) shall serve staggered four-year terms; and
- (2) may not receive compensation for serving on the committee.

SECTION 2. (a) The terms of the current members of the aerospace and aviation advisory committee expire on the effective date of this Act. On that date or as soon as possible after that date, the governor shall appoint new members to the aerospace and aviation advisory committee in accordance with the requirements of Section 481.0066(e), Government Code, as amended by this Act.

(b) A member of the aerospace and aviation advisory committee serving immediately before the effective date of this Act is eligible for reappointment to the committee if the person has the qualifications for a member under Section 481.0066(e), Government Code, as amended by this Act.

SECTION 3. This Act takes effect September 1, 2015.

Passed the Senate on April 16, 2015: Yeas 27, Nays 4; passed the House on May 8, 2015: Yeas 124, Nays 10, two present not voting.

Approved May 22, 2015.

Effective September 1, 2015.

**DEFENSES AND EXCEPTIONS TO THE PROSECUTION OF
THE CRIMINAL OFFENSE OF THE POSSESSION,
MANUFACTURE, TRANSPORT, REPAIR, OR SALE OF
CERTAIN PROHIBITED EXPLOSIVE WEAPONS, FIREARMS,
AND RELATED ITEMS**

CHAPTER 69

S.B. No. 473

AN ACT

relating to defenses and exceptions to the prosecution of the criminal offense of the possession, manufacture, transport, repair, or sale of certain prohibited explosive weapons, firearms, and related items.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Sections 46.05(a) and (e), Penal Code, are amended to read as follows:

(a) A person commits an offense if the person intentionally or knowingly possesses, manufactures, transports, repairs, or sells:

(1) *any of the following items, unless the item is registered in the National Firearms Registration and Transfer Record maintained by the Bureau of Alcohol, Tobacco, Firearms and Explosives or classified as a curio or relic by the United States Department of Justice:*

(A) an explosive weapon;

(B) ~~[(2)]~~ a machine gun;

(C) ~~[(3)]~~ a short-barrel firearm; or

(D) ~~[(4)]~~ a firearm silencer;

(2) ~~[(5)]~~ knuckles;

(3) ~~[(6)]~~ armor-piercing ammunition;

(4) ~~[(7)]~~ a chemical dispensing device;

(5) ~~[(8)]~~ a zip gun; or

(6) ~~[(9)]~~ a tire deflation device.

(e) An offense under Subsection (a)(1), ~~[(2)]~~, (3), (4), ~~[(6)], (7)]~~ or (5) ~~[(8)]~~ is a felony of the third degree. An offense under Subsection (a)(6) ~~[(a)(9)]~~ is a state jail felony. An offense under Subsection (a)(2) ~~[(a)(5)]~~ is a Class A misdemeanor.

SECTION 2. Section 46.05(c), Penal Code, is repealed.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect September 1, 2015.

Passed the Senate on April 20, 2015: Yeas 30, Nays 0; passed the House on May 11, 2015: Yeas 124, Nays 0, one present not voting.

Approved May 22, 2015.

Effective September 1, 2015.